

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:12-CR-00236-F-1

UNITED STATES OF AMERICA,

v.

DAVID NEIL PHILLIPS,

Defendant.

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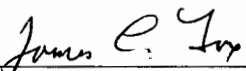
ORDER

This matter is before the court on Defendant's Motion for Notes and Discovery [DE-83].

A review of the record reveals that Defendant filed a Notice of Appeal [DE-64] to the Fourth Circuit Court of Appeals on June 13, 2013, and the case is presently pending there. For this reason, this court is without jurisdiction. *See Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance-it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.") Accordingly, Defendant's Motion for Notes and Discovery [DE-83] is DISMISSED.

SO ORDERED.

This, the 5 day of March, 2014.

  
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JAMES C. FOX  
Senior United States District Judge